

THE SEWER BOARD OF THE CITY OF NEW ALBANY, INDIANA HELD A MEETING IN THE 3RD FLOOR ASSEMBLY ROOM OF THE CITY/COUNTY BUILDING, NEW ALBANY, INDIANA ON TUESDAY, OCTOBER 17, 2006 AT 3:30 P.M.

PRESENT: Chairman Mayor James Garner, Vice Chairman Bill Utz, Mark Seabrook, Todd Solomon and Larry Kochert.

OTHERS: Attorney Greg Fifer, Brian Dixon, EMC, and City Clerk Marcey Wisman.

CALL TO ORDER:

Mayor Garner called the meeting to order at 3:32 P.M.

PLEDGE OF ALLEGIANCE:

APPROVAL OR CORRECTION OF THE FOLLOWING MINUTES:

Mr. Seabrook moved to approve as corrected, Mr. Utz second, all voted in favor Sewer Board minutes of October 3.

COMMUNICATIONS - PUBLIC:

Marty Bachman, Blackberry Ridge, asked for the board to sign their plat for the Secondary Plat Unit.

Mr. Solomon asked if everything has been resolved on this.

Mr. Dixon stated that the lines have been tested and approved.

Mr. Seabrook informed the board that it was his understanding that the easement situation had been resolved.

Larry Wilson addressed the board regarding a letter he received in the mail for a public Notice.

Wes Christmas reported this is a requirement for the DNR permit for a sanitary sewer project that is being installed in the Eagle Lane area up to Old Vincennes Rd/ Captain Frank. Property owners along the project line are notified so that they may request a hearing if they have concerns.

Mr. Wilson asked why DNR was involved.

Mayor Garner explained that anytime a line goes through a creek you have to get a permit from DNR.

Mr. Wilson asked if this is the line being built by the Developer in Highlander Point.

Mr. Christmas explained that this is to replace the existing line that is old and cracked and also to expand capacity.

There was a lengthy discussion regarding Mr. Wilson's concerns of this line.

Steve Pry approached the board about sewer credits.

Mr. Fifer stated that they have been notified that the letter issuing an additional 200,000 credits has been prepared and is waiting for signature. He was going to ask Mrs. Haley to inform the developers and prepare a plan to allocate these credits for the next meeting.

Mr. Fifer stated that they anticipated getting an additional 350,000 credits upon completion of the Robert E. Lee interceptor which is still on target for February. He then stated that he knows of no other projects that will give them any more credits for next

year.

Jason Copperwaite, Primavera, presented a plat to be signed for Reflection Lake in Floyds Knobs.

There was a lengthy discussion regarding the fees that need to be paid for their connections.

Susan Johnson asked about the amended consent decree.

Mr. Fifer stated that he had not received agreement.

Mrs. Johnson asked if the Fashion Shop paid their tap-in fee when they re-opened after being closed for over a year.

Mayor Garner stated that the ordinance states that if the lot is empty for over a year not if the existing building was empty for over a year.

Mr. Fifer explained that he was not part of this project and had no information

Mayor Garner stated that they would have to do some research on this issue to find out what has been paid and what hasn't

Mrs. Johnson asked if there were any SSO's during the past two days rain event.

Mayor Garner read the K & E report which states between noon on the 16th of October and 7:00am on 17th of October there was a rainfall of approximately 2.3" between 1a.m.-5a.m. Manholes and other overflow points were checked and no over-flows or by-passes were observed.

COMMUNICATIONS - CITY OFFICIALS

Mr. Seabrook reported that the force main at Rainbow Drive by Sam's has horrible odor.

Mr. Dixon stated that they are aware of sporadic odor problems in the area, but they have not been able to find where the problem is.

There was a lengthy discussion regarding what could be causing the odor and some possible solutions to the problem.

Mr. Kochert reported that there was also a problem on McDonald lane.

Mr. Dixon reported that they were putting a chemical in the line through the summer to keep the smell down. He explained that the chemical was intended to last through the fall season. They ran out and more was ordered. The chemical was activated in the pumps but late Friday night the circuit was tripped on the pump and wasn't detected until Monday morning when the pump was reactivated and no smell has been detected since.

Mr. Solomon asked if Mr. Fifer had gotten with Clark Deitz on the system development fee for Basin 35.

Mr. Fifer reported that he had not.

Mr. Solomon asked if Mr. Fifer had sent the letter regarding the 15, 500 projects.

Mr. Fifer stated that he has not yet sent that letter.

Mr. Solomon asked if it was still in the works and suggested that they include a map of the facilities.

Mr. Solomon asked when they were going to have the next Melhiser report

Mr. Solomon asked about the status of the sewer camera

Mr. Dixon reported that it is due next week and in the mean time they are using an old camera

Mr. Solomon asked when they would be giving them a spread sheet with the televising information.

Mr. Dixon said that he will have the spread sheet with updated information ready for the next meeting. Dixon explained that what goes into the spread sheet will laps behind the actual televising information by two weeks.

Mr. Solomon asked for the status of the Lewis Street job.

Mr. Dixon stated that he has the maps but he needs to develop a profile for the developers.

Mr. Solomon asked Mr. Christmas the status of the Janie Lane project.

Mr. Christmas stated that they have moved some meters so that they can get readings on Basin 20.

Mr. Dixon stated that he spoke with Mr. Peterson and he is getting conflicting information between the model readings and what is being reported.

Mr. Solomon asked for an up-date on the Robert E. Line lift station.

Mr. Christmas ?

Mr. Solomon asked for information on the 15th street project.

Mr. Dixon reported that all meetings have been conducted and they should be expecting six or seven proposals and that once they are all in he would bring them before the board to look through.

Mr. Solomon asked if there was a tally on the drainage fund for the sewers.

Mr. Seabrook stated that there is \$59,000 and some change and this just needs to be allocated.

There was a lengthy discussion regarding the best way to have the remaining money from the city council drainage money allocated to the sewer utility for reimbursement for monies paid out on drainage.

Mr. Solomon asked if EMC had a plan on when to come in to discuss changes to the plan.

Mr. Dixon said they will probably meet after the next meeting

Mr. Solomon asked if the ditches in the McClean are if the ditches were on private property or city property.

Mr. Fifer reported that they weren't sure why the ditches are flooding, but that it runs across Lift Station and it is causing some problems. Dixon then stated that he thinks the ditch may have been filled by an individual but that he was not sure.

Mr. Solomon suggested that this might be something they would want to investigate further.

Mr. Solomon asked by time the ADM mediation on Tuesday.

Mr. Fifer stated that it would be 10:00 a.m. He also stated that their experts and attorney would be in the night before.

Mr. Solomon asked if the water supply to the chlorinator have been corrected.

Mr. Dixon reported that they are getting quotes from outside contractors.

Mr. Solomon asked if the backup program had been modified on the pump stations.

Mr. Dixon explained that it had not been resolved yet but they were looking into it.

Mr. Solomon asked if they could get an up-to-date itemization for the Navigator and Bingham and Hale claims.

Mr. Fifer said he would look into that.

Mr. Solomon asked if Mr. Dixon had checked the lower section of Falling Run Creek.

Mr. Dixon explained that he had not had a chance to do so because of the weather, but that he will have them by the next meeting.

Mr. Solomon asked about the open sewer ditch on Woodland Hill.

Mr. Dixon stated that it is on the schedule to be checked and that they are looking to see if there is damage to the main pipe which could cause the sewage to spill out.

SEWER ADJUSTMENTS:

Kelly Welsh reported that she has given the board members a copy of Helvey accounts that they have been paid. She stated that where BAN is listed those are individuals that have filed bankruptcy. She stated that the adjustments that she had were for the Borden Tri-county customers.

Mr. Kochert asked if the board objected to Mrs. Welsh preparing reports for the council showing any adjustments that she makes.

Mr. Utz moved to approve that, Mr. Kochert second, all voted in favor.

Mr. Solomon asked that she include a title on the sheets.

Mayor Garner asked if they wanted to put payment arrangement on the Helvey customers.

Mrs. Welsh stated that she would prefer not because they can make payments in the Treasurers office and these will not show up on their 2007 taxes.

Mr. Seabrook asked for clarification of the Borden Tri-county adjustments.

Mrs. Welsh explained the different adjustments and why customers may be eligible to get them.

Mr. Solomon asked if all the charges that the sewer board incurs reflected on the green bar reports.

Mayor Garner stated that he would check with Mrs. Garry.

There was a lengthy discussion regarding items for the green bar reports

NEW BUSINESS:

Item #1 - Steve Pry re: sewer credits

OLD BUSINESS:

Sam Lahanis, MI2, approached the board regarding their proposal for the Review and procurement of Performance.

There was a lengthy discussion regarding terms of the agreement and Mr. Lahanis indicated that MI2 would not pursue O&M contract.

Mr. Solomon stated that he felt that they could not automatically award the contract to EMC. We have to use someone that has the time and expertise to evaluate their performance. He feels that it is a reasonable cost and a fair scope.

Mr. Kochert stated that he feels that it is good that we have a thirty day notice.

Mayor Garner asked if the board could have thirty days to review their review before moving forward with the procurement.

Mr. Lahanis stated that would be fine.

There was a lengthy discussion as to how long they would stay with the city through this process and the processes that would be followed to get this started.

Mr. Solomon motioned to approve the contract, Mr. Utz second, all voted in favor.

Item #1 - Charles Hipsher re: extending time for delinquent sewer account

Mayor Garner stepped out at approximately 5:00 p.m.

Item #2 - Mike Larner re: Vincennes Place

Mike Naville addressed the board on behalf of Mr. Larner regarding sewer plans that had been presented by Mr. Larner and were then forwarded to Clark Dietz. Mr. Larner was told that they would be finished in two weeks and it has now been a month. He stated that Mr. Larner has already scheduled time for Mr. Christianni to come out and put this in and it will push his project back further. He asked that the board go ahead and give him approval with the stipulation that when the report comes back from Clark Dietz he agrees to make any changes that are suggested.

Mr. Solomon stated that he remembers that Clark Dietz stated that it would take longer than two weeks because it was a complex issue and the entire drainage system had to be evaluated. This will affect future projects and they want to make sure it is done correctly.

(Mayor Garner returned at 5:08 p.m., Mr. Seabrook and Mr. Kochert left at 5:08)

Mr. Larner stated that he has a problem with the fact that when he called the gentleman that had been assigned to that project he had not even received any of the information that had been given to the board.

Wes Christmas reported that he spoke with Randy Vanderworth and he would have the memo ready this week stating what his recommendation was for this project along with what needs to be done for connections in the future.

Mr. Naville proposed that they approve construction with the stipulation that they meet with Mr. Dixon when the memo comes in and if they agree to any changes needed.

It was decided that the board members would receive the memo electronically and there would be a discussion if the developer didn't agree with recommended changes.

Item #3 - Donohue re: update on Mini Master Plan and Basin 35-40 Capacity Analysis project.

Mr. Dixon reported that he had a conversation with Paul Elling and Steve Gress and they are going to be down on Monday to have a meeting with him to discuss the reliability of flow data. All of the flow data appears to be good information, however when applied to developed areas of sub-stations that are out in the area the discrepancies between the existing flow data and what they would calculate if it was undeveloped and what they think future development would be is very high. They are going to discuss the reliability of information that they have and how they want to proceed.

Item #4 - Clark Dietz re: Projects update

Mr. Christmas stated that progress is minimal because of the rain. He projected that it will be finished by January.

EMC REPORT:

Mr. Dixon reported that Kay Crow, 1655 Harriet Court, filed a claim in the amount \$437.56. He recommended that the board approve. He stated that this is in Basin 16 and this is the first problem he has heard on this basin.

Mr. Utz moved to approve.

Mr. Solomon stated that he would have to abstain because he wants to look at the claim himself.

It was decided that this would wait until the next meeting so that all members could see the claim

BIDS:

CLAIMS:

ADJOURNMENT:

There being no further business before the Sewer Board, the meeting adjourned at 5.27 p.m.

Respectfully submitted,

Mayor James Garner, Chairman

Marcey J. Wisman, City Clerk